



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Rattan Art Gallery, Ltd.--
Request for Reconsideration

File: B-223779.3

Date: March 27, 1987

DIGEST

Request for reconsideration of a dismissal of a protest as premature is dismissed where the request for reconsideration does not contain a statement of factual or legal grounds upon which the reversal of the dismissal could be deemed warranted, but instead, merely contains a single argument which indicates that the original protest was properly judged to be premature and that a protest at this time would still be premature.

DECISION

Rattan Art Gallery, Ltd. requests that we reconsider our dismissal of its protest concerning solicitation No. FNP-A7-1901-N1-28-86 issued by the Furniture Commodity Center, General Services Administration (GSA), Washington, D.C. for rattan furniture.

We dismiss the request for reconsideration.

On July 29, 1986, Rattan Art Gallery protested against the possible award to "any firms located in a non-designated country under the Trade Agreements Act of 1979." The protester stated that because offers were being considered for such a long period of time (since January 1986), it believed that GSA was "planning to award at least one contract to a firm in a non-designated country." On July 30, 1986, we dismissed the protest as premature because the protester was merely anticipating that GSA would improperly perform an act which had not yet been performed. See Whittaker Controls, Inc., B-222737, Apr. 15, 1986, 86-1 C.P.D. ¶ 370.

After we dismissed the protest, another bidder filed a protest against GSA's determination that the bidder was nonresponsible. That protest is now pending before our Office (B-223779.2).

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In its request for reconsideration, Rattan Art Gallery merely argues that the fact that the other protest was filed "confirms our belief that GSA is considering an award for products manufactured in a non-designated country." The protester has not argued or shown that GSA has acted improperly, nor has it provided a factual or legal basis upon which we can reconsider our dismissal of its protest, as required by our Bid Protest Regulations. See 4 C.F.R. § 21.12(a) (1986); Oxman Knowledge Organization--Request for Reconsideration, B-225000.2, Nov. 24, 1986, 86-2 C.P.D. ¶ 605. The protester also has not provided any information to show that its earlier protest was not filed prematurely. In fact, the request for reconsideration indicates that a protest at this time would still be premature in that the protester is merely anticipating that GSA may act improperly in the future. Whittaker Controls, Inc., B-222737, supra.

The request for reconsideration is dismissed.



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General Counsel